



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

500 WEST MADISON ST., SUITE 1475
CHICAGO, IL 60661-4544

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MINNESOTA
NORTH DAKOTA
WISCONSIN

August 5, 2016.

Mr. Mitchell E. Daniels, Jr.
President
Purdue University
610 Purdue Mall
West Lafayette, IN 47907

Re: OCR Docket #05-16-2264

Dear Mr. Daniels:

On June 6, 2016, the Chicago Office of the U.S. Department of Education (Department), Office for Civil Rights (OCR), received the above-referenced complaint of discrimination filed against Purdue University (University) alleging discrimination on the basis of sex. We conducted the evaluation in accordance with OCR's *Case Processing Manual* to determine whether to open the complaint for investigation. We have determined that we have the authority to investigate this complaint.

Specifically, the complaint alleges that in the 2015-2016 academic year, the University subjected a [Non Responsive] (Student A) to discrimination based on sex. The complaint raises whether the University fails to promptly and equitably respond to complaints, reports and/or incidents of sexual violence of which it had notice, including Student A's report of sexual assault committed against her by a [Non Responsive] (Student B), thereby creating for students a sexually hostile environment.

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681-1688, and its implementing regulation at 34 C.F.R. Part 106. Title IX prohibits discrimination based upon sex in any educational program or activity operated by a recipient of Federal financial assistance. As a recipient of Federal financial assistance from the Department, the University is subject to this law. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

Because OCR has determined that it has jurisdiction and that the complaint was filed timely, it is opening the complaint for investigation. Please note that opening the complaint for investigation in no way implies that OCR has made a determination with regard to its merit. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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Exhibit 3, p.1

investigation is legally sufficient and is dispositive of the allegation, in accordance with the provisions of Article III of the *Case Processing Manual*.

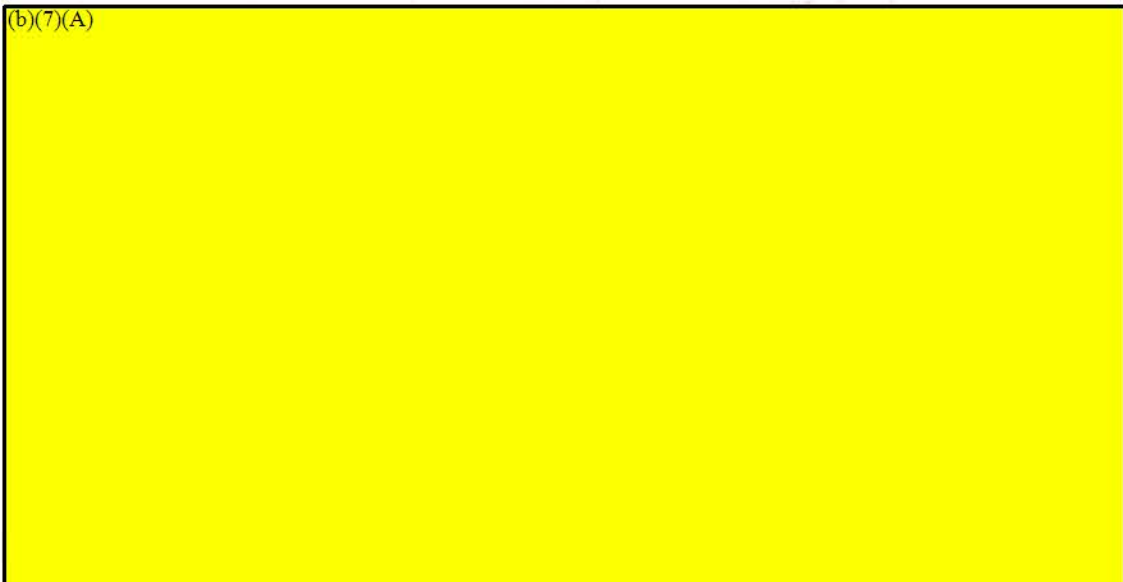
When appropriate, a complaint may be resolved before the conclusion of an investigation after the recipient expresses an interest to OCR to resolve the complaint. In such cases, a resolution agreement signed by the recipient and submitted to OCR must be aligned with the complaint allegation or the information obtained during the investigation and it must be consistent with applicable regulations. Information about this is in the enclosure to this letter.

Please read the enclosed document entitled “OCR Complaint Processing Procedures,” which includes information about:

- OCR’s complaint processing procedures;
- Regulatory prohibitions against retaliation and intimidation of persons who file complaints with OCR or participate in an OCR investigation; and
- Application of the Freedom of Information Act and the Privacy Act to OCR investigations.

OCR intends to conduct a prompt investigation of this complaint. The regulation implementing Title VI of the Civil Rights Act of 1964 at 34 C.F.R. § 100.6(b) and (c) requires that a recipient of federal financial assistance make available to OCR information that may be pertinent to a compliance determination. This requirement is incorporated by reference in the regulation implementing Title IX at 34 C.F.R. § 106.71. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a) (3) (iii) of the regulation implementing the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, OCR may review personally identifiable records without regard to considerations of privacy or confidentiality.

Accordingly, OCR is requesting that you provide the following information to us within twenty (20) calendar days from the date of this letter. Wherever possible, please provide the requested information in electronic format. If responsive data are available through the Internet, please provide the link to the data.

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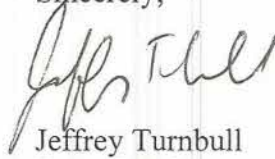
34.

Thank you for your cooperation in this matter. In addition to the information requested above, OCR may need to request additional information and interview pertinent personnel. If an on-site visit is necessary, we will work to schedule a mutually convenient time for the visit.

Please notify OCR of the name, address, and telephone number of the person who will serve as the University's contact person during the processing of this complaint. We would like to talk with this person as soon as possible to discuss the processing of this complaint and at that time, we will provide the identity of Student A and Student B.

OCR is committed to prompt and effective service. If you have any questions, please contact Ms. Camille D. Lee, Civil Rights Attorney at 312-730-1561 or by email at camille.lee@ed.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Turnbull". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Turnbull" clearly distinguishable.

Jeffrey Turnbull
Team Leader

Enclosure